

**UNITED STATES DISTRICT COURT**  
 for the  
 District of South Carolina

Sharon Funderburk and Thomas Funderburk

*Plaintiffs*

v.

South Carolina Electric & Gas Company, The  
 County of Lexington, SC and CSX Transportation,  
 Inc.,

*Defendants*

)  
 ) Civil Action No. 3:15-04660-JMC  
 )  
 )  
 )  
 )

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

- the plaintiff (*name*) \_\_\_\_\_ recover from the defendant (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.
- the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.
- other: summary judgment is entered for the defendants, CSX Transportation, Inc. and The County of Lexington, SC.

The plaintiffs shall take nothing as to the second amended complaint and this action is dismissed with prejudice.

This action was (*check one*):

- tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.
- tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.
- decided by the Honorable J. Michelle Childs, United States District Judge presiding. The court having granted defendant, CSX Transportation, Inc.'s motion for summary judgment and granted in part defendant, The County of Lexington, SC's motion for summary judgment as to the Plaintiffs' claims for Fifth Amendment inverse condemnation, nuisance, and strict liability.

Date: August 1, 2019

*CLERK OF COURT*

s/Angie Snipes

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*Signature of Clerk or Deputy Clerk*